

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

NOLAND ROOSEVELT BYRD, #21014688, §
§
Plaintiff, § CIVIL ACTION NO. 4:21-CV-00111-RAS-
v. § CAN
§
PLANO POLICE DEPARTMENT, ET AL., §
§
Defendants. §

ORDER

The Prison Litigation Reform Act of 1996 (“PLRA”) requires prisoners bringing civil actions to pay the full filing fee (\$350.00 if *in forma pauperis* status is granted, \$402.00 if *in forma pauperis* is not granted). Pending before the Court are *pro se* Plaintiff Noland Roosevelt Byrd’s (“Plaintiff”) Applications to Proceed *In Forma Pauperis* [Dkts. 3; 5].¹ On March 29, 2021, the Court entered an order directing Plaintiff to refile his Applications to Proceed *In Forma Pauperis* using his full legal name by April 19, 2021 [Dkt. 9]. To date, Plaintiff has failed to comply with the Court’s directions. An Application to Proceed *In Forma Pauperis* using Plaintiff’s legal name, Noland Roosevelt Byrd, has not been filed, instead Plaintiff has inundated the Court with letters alleging, among other things, a name change under “the Moorish Divine and National Movement of the World” [Dkt. 13]. The Court again advises Plaintiff it adheres to the United States Constitution, federal laws and rules, and related case law. Accordingly, the Court finds Plaintiff’s current Applications should be denied, but without prejudice to Plaintiff re-filing a motion to proceed *in forma pauperis* in compliance with the Court’s directives. If Plaintiff does not file a

¹ The Application filed on February 5, 2021 states that it is filed by “Mustafa El Shabazz Bey Free Sovereign Moorish American National Attorney in Fact ‘In Propria Persona’ (Not Pro Se, nor Colorable) Ex Relatione: Noland Roosevelt Byrd; All Rights Reserved without Prejudice” [Dkt. 3 at 1]. The Application filed on March 5, 2021 states that it is filed “In Proper Person (Not Pro Se) Mustafa El Shabazz Bey Ex Relatione: Noland Byrd without Prejudice/without Recourse” [Dkt. 5 at 1].

compliant motion to proceed *in forma pauperis*, he will be required to pay all regular filing fees required by the Clerk of Court and failure to pay such filing fees will result in dismissal of his suit.

It is therefore **ORDERED** that Plaintiff's Applications to Proceed *In Forma Pauperis* [Dkts. 3; 5] are **DENIED**.

It is further **ORDERED** that Plaintiff must either file a compliant application to proceed *in forma pauperis* or pay the full filing fee of \$402.00 on or before ***Friday, June 4, 2021***. The Clerk of the Court is directed to not file any further correspondence from Plaintiff unless it is a motion to proceed *in forma pauperis*.

It is finally **ORDERED** that the failure by Plaintiff to comply with the orders contained herein will result in a recommendation for dismissal of this lawsuit.

IT IS SO ORDERED.

SIGNED this 5th day of May, 2021.



Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE